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10 District Attorney John Hubanks

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13 SAN JOSE DIVISION
14

15 NATIONWIDE BIWEEKLY

16 ADMINISTRATION, INC, an Ohio Corporation;
17 LOAN PAYMENT ADMINISTRATION LLC, AN
Ohio limited liability company; and DANIEL S.
18 LIPSKY, an individual;

19 Plaintiffs,

20 v.

21 JOHN F. HUBANKS, Deputy District Attorney,
22 Monterey County District Attorney's Office, in his
official capacity; ANDRES H. PEREZ, Deputy
23 District Attorney, Marin County District Attorney's
Office, in his official capacity; MONTEREY
24 COUNTY DISTRICT ATTORNEY'S OFFICE, a
County Agency; and MARIN COUNTY
25 DISTRICT ATTORNEY'S OFFICE, a County
26 agency,

27 Defendants.
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Case No.: 14-cv-04420-LHK

**JOINT STIPULATION REGARDING
EXTENSION OF TIME TO FILE
RESPONSIVE PLEADING (Local Rule 6-1)**

This stipulation is entered by and between plaintiffs Nationwide Biweekly Administration, Inc., Loan Payment Administration LLC, and Daniel S. Lipsky (collectively, “Nationwide”), on the one hand, and defendants John F. Hubanks, Andres H. Perez, Monterey County District Attorney’s Office, and Marin County District Attorney’s Office (collectively, the “District Attorneys”), on the other hand, with reference to the following facts:

1. On July 17, 2018, Plaintiffs filed their First Amended Complaint. *See* Dkt. No. 108.
2. Northern District Local Rule 6-1 provides: “Parties may stipulate in writing, without a Court order, to extend the time within which to answer or otherwise respond to the complaint, or to enlarge or shorten the time in matters not required to be filed or lodged with the Court, provided the change will not alter the date of any event or any deadline already fixed by Court order.”
3. Accordingly, as this stipulation will not alter the date of any event or any deadline already fixed by Court order, the parties have agreed to continue the time for Defendants to file their responsive pleading, from July 31, 2018 to August 7, 2018. Further, the parties have agreed to provide Plaintiffs with an additional 7 days to file their Opposition to Defendants Motion to Dismiss.
4. The parties also seek to clarify that if the Defendants file a Motion to Dismiss, it shall toll the deadline to Answer, which shall be 14 days after this Court’s ruling on said Motion to Dismiss.
5. This Court has made no previous orders about the time to Answer Plaintiff’s First Amended Complaint.

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Now, therefore, the parties **HEREBY STIPULATE AND AGREE** to continue the time for Defendants to file a responsive pleading from July 31, 2018 to August 7, 2018. Further, if the Defendants file a Motion to Dismiss, it shall toll the deadline to Answer. Specifically, in the event this Court denies said Motion to Dismiss, an answer would be due 14 days after the ruling is issued.

IT IS SO STIPULATED.

Dated: July 31, 2018

BRIAN WASHINGTON, COUNTY COUNSEL

By: /s

Brian Charles Case

Deputy County Counsel
Attorneys for Defendants ANDRES H. PEREZ
and the COUNTY OF MARIN

Dated: July 31, 2018

CHARLES J. MCKEE, COUNTY COUNSEL

By: /s

William Merrill Litt

Deputy County Counsel
Attorneys for Defendants JOHN F. HUBANKS
and the COUNTY OF MONTEREY

Dated: July 31, 2018

DAVIS WRIGHT TREMAINE LLP

By: /s

Diana Palacios
Attorneys for Plaintiffs